

Brunswick Planning Commission

Minutes

February 24, 2003

Commission Members Present: Chair Ed Gladstone, Vice Chair Don Krigbaum, Sec Connie Koenig, Council Liaison Walt Stull, Wayne Dougherty and Ellis Burrus, Alternate

Mayor & Council Present: Mayor Carroll Jones & Council Joe Harrington and Jim Castle.

Staff Present: City P & Z Administrator Rick Stup, County Planning Liaison Carole Larsen and City Engineer Consultant Richard Parks.

Chairman Gladstone called the meeting to order at 7:00 PM.

Minutes

The minutes of December 9, 2002 meeting were reviewed and approved. (MOTION by Mr. Stull and seconded by Mr. Krigbaum, unanimously passed.)

Chairman

The new Planning and Zoning Administrator, Rick Stup, was introduced to the Commission.

Old Business

Zoning – Site Plans

Dan Ryan Lots 163 thru 171, W.W.Wenner's First Addition – Request for approval to construct approximately 1000LF of gravity flow City Sanitary Sewer extension to serve Lots 163 thru 171, located on the north side of Brunswick Street Extended, west of Central Avenue. Zoning Classification: R-1, BR-02-3R

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report. Since no action was required, there wasn't a Staff Recommendation.

Applicant

Steve Cvijanovich, Davis, Renn & Associates, presented the applicant's case and gave further details about the proposed sanitary sewer changes.

The Commission had several questions to include the concern about the flatness of several of the sewer runs that were addressed by Richard Parks, Rick Stup and the applicant.

Public Comment

None

Rebuttal

None

Decision

Ms. Koenig made a motion to grant conditional approval of the request; Mr. Dougherty seconded the motion.

Conditions of Approval:

1. The first two sewer runs are to be increased to 0.50%.
2. Address City Engineer's comments.
3. Staff to process revised plan for signature.

VOTE: Yea 5 Nay 0

New Business

Zoning – Site Plans

MuscleHogger Health & Fitness – Request for the utilization of the first and basement floor of the Kaplan Building for a Gym/Fitness Center, located at 102 W. Potomac Street. Zoning Classification: B-2, BR-SP-03-01

Staff Presentation and Recommendation

Mr. Stup presented the staff report. Off-street parking requirement for the proposed use and the entire building was an issue since there wasn't a retrievable record of former approved uses. The requirement for the entire building based on gross square footage was 9 spaces of which 4.5 was needed for the applicants use. Under Article 23 of the Zoning Ordinance, off-street could be waived if sufficient on-street parking was available. Also, the application was silent on changes to external lighting and proposed signage. Staff recommended conditional approval with the following conditions:

1. No off-street parking is required for this first floor and basement use. Off-street parking is not required for the second and third floor future uses unless it is deemed to be high traffic generators.
2. Any use of the property for parking must comply with City Standards and requires site plan submission and Planning Commission approval.
3. Address any outstanding agency comments.
4. Apply for all necessary County Permits.

Mr. Stup answered Ms. Koenig and Mr. Krigbaum's questions with regard to the parking.

Applicant

The applicant, Ken Calabrece, present the case stating that he concurred with the Staff Recommendation.

The applicant addressed Ms. Koenig's question with regard to the current dance classes.

Public Comment

None

Rebuttal

None

Decision

Mr. Dougherty made a motion to grant conditional approval of the request in accordance with Staff's Recommendation; Mr. Stull seconded the motion.

It was noted that any changes to exterior lighting and/or signage is to be used, that information must be submitted for staff approval prior to issuance of a Zoning Certificate.

VOTE: Yea 5 Nay 0

Galyn Manor Sales Center – Request for a Temporary Sales Center on Lots 1-3, Galyn Manor, located at the northwest quadrant of the intersection of Galyn Drive and Point of Rocks Road (MD Route 464). Zoning Classification: PUD/R-1, BR-SP-03-02

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report and stated that the request was silent on proposed lighting and signage. Also, Staff felt that a one-way entrance and exit due to the proposed street median construction was needed. Staff recommended conditional approval with the following conditions:

1. The site be reclaimed and stabilized after use ceases.
2. One-way entrance/exit pattern be utilized.
3. Provide type and dimension for the parking spaces, travel-way and entrances in accordance with City Standards acceptable to staff.
4. Label setbacks.
5. Provide lighting and details in accordance with City Standards acceptable to staff.
6. Label hours and days of operation.

7. Center to be abandoned by September 30, 2003.
8. Address any outstanding agency comments.

Applicant

Wes Moulton, Pulte Homes, clarified when the sanitary sewer would be on line and the Sales Center use would cease. He stated that there would be a temporary sales center sign and also indicated concurrency with the Staff Recommendation.

Staff indicated that, since temporary signage was proposed, an additional condition of approval needed to be added with regard to signage details.

Public Comment

None

Rebuttal

None

Decision

Mr. Stull made a motion to grant conditional approval of the request in accordance with Staff's Revised Recommendation; Mr. Dougherty seconded the motion.

Additional Condition of Approval:

1. Signage details to be added to the site plan and submitted to staff for review and approval.

VOTE: Yea 5 Nay 0

Residential Site Plans – Improvement Plans

Gum Springs Property – Request for Improvement Plan Approval for public improvements for Lots 8-14 G Street and Lots 2, 3, 6 & 7 H Street, on the east side of Gum Springs Road. Zoning Classification: R-1, BR-SP-02-05-IP

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report and the FRO and sanitary sewer maintenance issue. Late received comments from County DPW, FRO Reviewer and City Engineer's. Additional comments were distributed to the Commission.

Staff recommended conditional approval with the following conditions:

2. Address any outstanding agency comments to include FRO Requirements.
3. Submit a revised Residential Site Plan reflecting the revised Improvement Plan, and agency and Planning Commission comments.
4. PWA, Easement and Maintenance/Covenant Agreements satisfactory to the city Attorney, staff and agencies, and Mayor and Council.

In addition, if the Planning Commission felt that the issues that had arisen during the site plan hearing in December had been resolved, staff recommends conditional approval of the Residential Site Plan with the following conditions:

1. Address any outstanding agency comments to include FRO Requirement.
2. Staff's final review that all appropriate comments had been addressed.

Mr. Krigbaum departed and was replaced by Mr. Burruss as a voting member.

Applicant

Messrs. Castle, Brennan and Van Loozen presented various portions of the applicant's case. The FRO Requirements and County DPW Comments were discussed, as well as, the maintenance entrance to the alley, additional sidewalk and the use of a common drive or single entrances for lots 6 & 7. Other than the resolution to those items, they concurred with the staff recommendation.

Staff felt that the Fee in Lieu for FRO was not an issue and could be worked out between the FRO Reviewer and staff rather than a Text Amendment to the FRO Ordinance.

Public Comment

Messrs. Jim Haller and Richard Haller presented lengthy discussion with regard to the effect on down hill properties to include their properties. The Commission, applicants and staff had extensive exchange with Messrs. Haller.

Staff ended the Public Comment by explaining the current state, county and city regulations, possible remedies if the design failed and offered to meet with both Messrs. Haller to discuss alternatives to the current problem.

Rebuttal

None

Decision

Mr. Dougherty made a motion to grant conditional approval of the Improvement Plan request in accordance with the Staff Recommendation and 4 additional conditions; Mr. Stull seconded the motion.

Additional Conditions of Approval:

3. Curb cut to access alley for sanitary sewer maintenance is not required.
4. A common drive onto Gum Springs Road to serve Lots 6 & 7 is to be provided.
5. Additional sidewalk extended into Lot 2 along Gum Springs Road to the driveway, as requested by City DPW, is to be provided.
6. Staff has authorization to process revisions for final approval signature.

VOTE: Yea 5 Nay 0

Mr. Dougherty made a motion to grant conditional approval of the Residential Site Plan in accordance with Staff's Recommendation and 1 additional condition: Mr. Stull seconded the motion.

Additional Condition of Approval:

3. Staff authorized to process revisions for final approval signature.

VOTE: Yea 5 Nay 0

Mr. Stup noted that the sidewalk issue along Souder follow up with MSHA that was discussed at the December Meeting was still outstanding. After Mr. Gladstone and Councilman Stull identified the specific area and concern, and the weather situation was no longer an issue, a meeting with Bobby Fisher, District Engineer, would be scheduled. The Commission was informed that there didn't appear to be any funding in the MSHA Budget for such projects was also stated.

Development Submission Schedule Policy

Discussion to establish a Policy for Submission, Posting, TAC Meetings, and Resubmission of items for Planning Commission Action

Staff Presentation and recommendation

Mr. Stup presented the Staff Report and the proposed Policy Chart for 2003 and Part of 2004. It would affect the May 2003 Commission Schedule. The Policy would create a 60-Day Review Cycle with TAC Meetings, as needed, and would allow for more efficient use of staff processing time and Commission Agendas. It enables the reviewing agencies enough time to comment on the applications prior to the Planning Commission Meeting. This will give the Commissioners better information to make their review and decisions. If an applicant insisted on the submission requirements of the various ordinances and

regulations, their cases would be put on the appropriate agenda. Staff recommends approval of the Policy as presented.

Public Comment

None

Decision

Mr. Burrus made a motion to approve the Policy as presented; Ms. Koenig seconded the motion.

VOTE: Yea 5 Nay 0

(Copy of Policy attached.)

Public Comment

None

Adjournment

The meeting was adjourned at 9:05 PM.

Respectfully submitted,

Connie Koenig, Secretary
Brunswick Planning Commission